

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

SARAH STEWART (f.k.a. Sarah Hills),	)	CIVIL NO. 04-428-HU
	)	
Plaintiff,	)	ORDER ADOPTING MAGISTRATE
	)	JUDGE'S FINDINGS AND
v.	)	RECOMMENDATION
	)	
SEARS, ROEBUCK AND CO., a	)	
foreign corporation,	)	
	)	
Defendant.	)	
_____	)	
	)	
	)	
	)	
	)	

On March 7, 2005, Magistrate Judge Hubel issued Findings and Recommendation (Doc. #35) in the above-captioned case DENYING defendant's motion for summary judgment on plaintiff's FMLA and wrongful discharge claims. On April 15, 2005 Magistrate Judge Hubel issued Supplemental Findings and Recommendation (Doc. #38) GRANTING defendant's motion for summary judgment on plaintiff's OFLA claim. Objections (Doc. #39) were filed on April 20, 2005 and a response (Doc. #40) to the objections was filed on May 16, 2005.

This court has conducted a de novo review pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b) and ADOPTS the Findings and Recommendation as the opinion of this court.

Accordingly, defendant's motion for summary judgment is DENIED on plaintiff's FMLA and wrongful discharge claims and GRANTED on plaintiff's OFLA claim.

IT IS SO ORDERED.

DATED:      Portland, Oregon, June 29, 2005.

/s/ Michael W. Mosman  
MICHAEL W. MOSMAN  
United States District Judge